



AGENDA

Long Beach City Council Meeting
Regular City Council January 22, 2012 at 7:00 p.m.
Long Beach City Hall - Council Chambers
115 Bolstad Avenue West

7:00 PM CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

Call to order	Mayor Andrew, Council Member Linhart, Council Member Maxson,
And roll call	Council Member Perez, Council Member Murry, and Council Member Phillips

CONSENT AGENDA - TAB - A

All matters, which are listed within the consent section of the agenda, have been distributed to each member of the Long Beach City Council for reading and study. Items listed are considered routine by the Council and will be enacted with one motion unless a Council Member specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following items:

- Minutes, January 7, 2013 Regular City Council meeting.
- Payment Approval List for Warrant Registers 52674 - 52719 & 70811 – 70886 for \$274,598.02

BUSINESS

- **AB 13-02 – Revised Ch 5-2: Public Nuisances & Title 14: Enforcement – TAB – B**
- **AB 13-03 – Fire Truck Pump Purchase for 88-54 - TAB - C**

ORAL REPORTS

- | | | | | |
|---|---------------------|--------------|---------------------------|-------------------------|
| • | City Council | Mayor | City Administrator | Department Heads |
|---|---------------------|--------------|---------------------------|-------------------------|

CORRESPONDENCE AND WRITTEN REPORTS – TAB – D

- **Business License – Craftsman by the Sea; Long Beach**
- **Business License – Lynd Alyce Kinnunen; 509 Pacific Ave S**
- **Business License – United Rentals; Longview, WA**

FUTURE CITY COUNCIL MEETING SCHEDULE

The Regular City Council meetings are held the 1st and 3rd Monday of each month at 7:00 PM and may be preceded by a workshop commencing at 6:00 PM.

February 4 – 7:00 pm – City Council Meeting

February 18 – 7:00 pm – City Council Meeting

PUBLIC COMMENT

At this time, the Mayor will call for any comments from the public on any subject whether or not it is on the agenda for any item(s) the public may wish to bring forward and discuss. Preference will be given to those who must travel. **Please limit your comments to five minutes. The City Council does not take any action or make any decisions during public comment.** To request Council action during the Business portion of a Council meeting, contact the City Administrator at least one week in advance of a meeting.

ADJOURNMENT

American with Disabilities Act Notice: The City Council Meeting room is accessible to persons with disabilities. If you need assistance, contact the City Clerk at (360) 642-4421 or advise City Clerk at the meeting.

LONG BEACH CITY COUNCIL MEETING

JANUARY 7, 2013

CALL TO ORDER

Mayor Andrew called the meeting to order at 7:00 p.m. and asked for the Pledge of Allegiance

ROLL CALL

David Glasson, Finance Director, called roll with C. Linhart, C. Maxson, C. Perez, C. Murry, C. Phillips and Mayor Andrew present.

CONSENT AGENDA

December 17, 2012 Regular City Council minutes

Payroll Report for Warrants 52638-52673 & 70745-70810 for \$284,631.72

C. Linhart made the motion to approve the consent agenda with C. Perez seconding the motion. 5 Ayes 0 Nays, motion passed.

BUSINESS

AB 13-01 Special Use Permit #SUP 2013-1

Gayle Borchard, Community Development Director, presented the agenda bill. The World Kite Museum is requesting the special use permit to sell items that would defer some of the overhead costs for the event and benefit the city by connecting the event and the museum with the city. The Windless Kite event will be held January 18-20, 2013. **C. Phillips made the motion to approve the agenda bill as long as there isn't any outdoor vending. C. Linhart seconded the motion. 5 Ayes 0 Nays, motion passed.**

ORAL REPORTS

C. Linhart, C. Maxson, C. Perez, C. Murry, C. Phillips, Mayor Andrew, David Glasson, Finance Director and Chief of the Long Beach Fire Department, Gayle Borchard, Community Development Director, and Ragan Myers, Events Coordinator contributed reports.

PUBLIC COMMENT

David Boley commented on medicinal cannabis.

ADJOURNMENT

C. Linhart made the motion to adjourn at 7:35 p.m. with C. Phillips seconding the motion. 5 Ayes 0 Nays, motion passed.

Mayor

ATTEST:

City Clerk



Warrant Register

Check Periods: 2013 - January - First

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF LONG BEACH, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

Number	Name	Print Date	Clearing Date	Amount
52674	Andrew, Robert E.	1/4/2013		\$394.55
52675	Binion, Jacob	1/4/2013		\$1,406.73
52676	Bledsoe, Linda	1/4/2013		\$731.75
52677	Borchard, Gayle	1/4/2013		\$1,708.67
52678	Payroll Vendor	1/4/2013		Void
52679	Cutting, Jeffrey G.	1/4/2013		\$2,155.32
52680	Fitzgerald, Rick E.	1/4/2013		\$1,457.34
52681	Gilbertson, Bradley K	1/4/2013		\$1,148.93
52682	Glasson, David R.	1/4/2013		\$2,342.86
52683	Goulter, John R.	1/4/2013		\$1,483.66
52684	Gray, Karen	1/4/2013		\$815.97
52685	Gray, Rick R.	1/4/2013		\$1,534.15
52686	Huff, Timothy M.	1/4/2013		\$1,417.84
52687	Kaino, Kris	1/4/2013		\$1,015.75
52688	Kitzman, Michael	1/4/2013		\$1,928.06
52689	Linhart, Steven P	1/4/2013		\$266.95
52690	Lueth, Paul J	1/4/2013		\$1,548.61
52691	Martin, Kevin R	1/4/2013		\$2,428.33
52692	Maxson, Don W	1/4/2013		\$266.95
52693	Meling, Casey K	1/4/2013		\$1,582.06
52694	Miles, Eugene S	1/4/2013		\$2,696.62
52695	Mortenson, Tim	1/4/2013		\$2,047.65
52696	Murry, Del R	1/4/2013		\$266.95
52697	Myers, Ragan S.	1/4/2013		\$1,294.99
52698	Ostgaard, Loretta G	1/4/2013		\$1,312.41
52699	Padgett, Timothy J	1/4/2013		\$1,512.48
52700	Perez, Arthur Mark	1/4/2013		\$266.95
52701	Phillips, Gerald S	1/4/2013		\$266.95
52702	Russum, Richard	1/4/2013		\$1,234.59

Number	Name	Print Date	Clearing Date	Amount
52703	Stidham, William G	1/4/2013		\$2,001.85
52704	Turner, Michael S.	1/4/2013		\$790.90
52705	Warner, Ralph D.	1/4/2013		\$1,965.66
52706	Wright, Flint R	1/4/2013		\$2,181.04
52707	Zuern, Donald D.	1/4/2013		\$1,869.47
52708	Busby, Randy Scott	1/4/2013		\$1,763.88
52709	AFLAC	1/4/2013		\$414.17
52710	Association of WA Cities	1/4/2013		\$14,903.31
52711	City of Long Beach - Fica	1/4/2013		\$10,179.86
52712	City of Long Beach - FWH	1/4/2013		\$8,375.59
52713	Council Gift Fund	1/4/2013		\$60.00
52714	Dept of Labor & Industries	1/4/2013		\$1,256.68
52715	Dept of Retirement Systems	1/4/2013		\$7,772.97
52716	Dept of Retirement Systems Def Comp	1/4/2013		\$1,158.00
52717	Hartford Life Insurance	1/4/2013		\$325.00
52718	Teamsters Local #58	1/4/2013		\$184.50
52719	United Employee Benefit Trust (UEBT)	1/4/2013		\$6,781.00
70811	Dapper Tire Co	1/8/2013		\$6,790.70
70812	Glasson, David	1/9/2013		\$525.42
70813	Department of Health	1/9/2013		\$42.00
70814	Glasson, David	1/9/2013		\$541.99
70815	Visa	1/14/2013		\$2,673.03
70816	Dept. of Health	1/14/2013		\$42.00
70817	Miles, Gene	1/16/2013		\$443.66
70818	Myers, Ragan	1/17/2013		\$369.00
70819	Glasson, David	1/17/2013		\$49.96
70820	Ace Towing	1/18/2013		\$226.38
70821	Active Enterprises, Inc.	1/18/2013		\$253.36
70822	Addy Lab, Lic	1/18/2013		\$454.00
70823	Airgas USA LLC	1/18/2013		\$28.62
70824	All Safe Mini Storage	1/18/2013		\$570.00
70825	ALS ENVIRONMENTAL	1/18/2013		\$712.00
70826	AlSCO-American Linen Div.	1/18/2013		\$208.02
70827	American Messaging	1/18/2013		\$18.29
70828	Association of Washington Cities	1/18/2013		\$204.00
70829	Astoria Ford	1/18/2013		\$136.82
70830	Astoria Janitor & Paper Supply	1/18/2013		\$747.95
70831	Backflow Management Inc	1/18/2013		\$1,500.00
70832	Beachdog.com Inc.	1/18/2013		\$5,490.46
70833	Bolden, Dee	1/18/2013		\$500.00
70834	Box-K Auto Repair Inc	1/18/2013		\$665.67
70835	Calvert Technical Services	1/18/2013		\$81.13
70836	CenturyLink	1/18/2013		\$1,736.40
70837	Chinook Observer	1/18/2013		\$65.45
70838	City of Long Beach	1/18/2013		\$1,150.49
70839	Coast Rehabilitation Services	1/18/2013		\$252.00

Number	Name	Print Date	Clearing Date	Amount
Z0840	Consolidated Supply	1/18/2013		\$1,004.55
Z0841	CURRAN-MCLEOD, INC	1/18/2013		\$416.00
Z0842	Dennis Company	1/18/2013		\$538.50
Z0843	Department of Licensing	1/18/2013		\$18.00
Z0844	England Marine Supply	1/18/2013		\$439.73
Z0845	Evergreen Rural Water of	1/18/2013		\$663.00
Z0846	Evergreen Septic Service	1/18/2013		\$1,057.25
Z0847	Fed EX	1/18/2013		\$92.36
Z0848	Fire Engineering	1/18/2013		\$51.00
Z0849	Ford Electric	1/18/2013		\$26.95
Z0850	Galls, AN Aramark Co.	1/18/2013		\$82.19
Z0851	H. D. FOWLER	1/18/2013		\$729.23
Z0852	Hach Company	1/18/2013		\$134.80
Z0853	K & L Supply, Inc.	1/18/2013		\$335.56
Z0854	L.N. Curtis & Sons	1/18/2013		\$1,116.79
Z0855	Law Enforcement Equip	1/18/2013		\$32.74
Z0856	Lindstrom Construction	1/18/2013		\$106,861.76
Z0857	Long Beach Merchants	1/18/2013		\$4,000.00
Z0858	Measure-Tech, Inc.	1/18/2013		\$742.57
Z0859	North Central Labs.	1/18/2013		\$159.00
Z0860	Olympic Region Clean Air Agency	1/18/2013		\$626.00
Z0861	Oman & Son Builders	1/18/2013		\$1,151.91
Z0862	Pacific County Sheriffs	1/18/2013		\$6,391.54
Z0863	Peninsula Laundry Center	1/18/2013		\$55.00
Z0864	Peninsula Sanitation	1/18/2013		\$1,152.27
Z0865	Poster Compliance Center	1/18/2013		\$239.70
Z0866	Public Utility District 2	1/18/2013		\$3,651.16
Z0867	Quill Corporation	1/18/2013		\$33.82
Z0868	Recall Secure Destruction Services	1/18/2013		\$70.71
Z0869	Ryan Herco	1/18/2013		\$206.77
Z0870	STAPLES ADVANTAGE	1/18/2013		\$66.81
Z0871	State Auditor's Office	1/18/2013		\$4,568.72
Z0872	Sterling Codifiers, Inc	1/18/2013		\$500.00
Z0873	Total Battery & Auto	1/18/2013		\$163.96
Z0874	U.S Cellular	1/18/2013		\$283.52
Z0875	US Fire Equipment, LLC	1/18/2013		\$12.48
Z0876	Visa	1/18/2013		\$1,290.13
Z0877	Wadsworth Electric	1/18/2013		\$100.19
Z0878	Warner, Ralph	1/18/2013		\$85.00
Z0879	WASHINGTON FIRE CHIEFS	1/18/2013		\$400.00
Z0880	Whitney Equipment Co. Inc	1/18/2013		\$2,370.15
Z0881	Wilcox & Flegel	1/18/2013		\$1,330.75
Z0882	Wilcox & Flegel Oil Co.	1/18/2013		\$3,399.12
Z0883	Willapa Harbor Hospital	1/18/2013		\$919.42
Z0884	WILLAPA PAPER SERVICE	1/18/2013		\$250.00

Number	Name	Print Date	Clearing Date	Amount
<u>70885</u>	Wirkkala Construction	1/18/2013		\$1,613.49
<u>70886</u>	World Kite Museum	1/18/2013		\$166.67
		Total	Check	\$274,598.02
		Grand Total		\$274,598.02



**CITY COUNCIL
AGENDA BILL
AB 13-02**

Meeting Date: January 22, 2013

AGENDA ITEM INFORMATION

SUBJECT: <i>Revised Chapter 5-2: Public Nuisances and Title 14: Enforcement Procedures</i>	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
	Other:	
COST: N/A		

SUMMARY STATEMENT: *Please see attached request.*

RECOMMENDED ACTION:

Legal and planning personnel have made additions to Chapter 5-2: Public Nuisances and completely rewritten Title 14, formerly Penalties, now Enforcement Procedures. They have made these changes to obtain code enforcement tools formerly lacking and to create a more consistent and effective enforcement procedure while ensuring due process, respectively.

Staff is seeking Council input, which you can provide by writing comments on the copy of the code language in your packet, putting your initials on any page with comments and returning those initialed pages to staff. Also, staff is here to answer any questions you may have.

Chapter 2

PUBLIC NUISANCES

Section:

- 5-2-1: Purpose and Intent
- 5-2-2: Definitions
- 5-2-3: Public Nuisance Declared and Defined
- 5-2-4: Specific Public Nuisances Enumerated
- 5-2-5: Penalty for Violation
- 5-2-6: Emergency Actions
- 5-2-7: Liability for Continuing Nuisance
- 5-2-8: Additional Relief
- 5-2-9: Conflicts; Controlling Provisions
- 5-2-10: Special City Responsibility Not Created
- 5-2-11: Severability

5-2-1: PURPOSE AND INTENT:

- A. The purpose of this chapter is to exercise the City's police power in order to provide for protection of public health, safety, and welfare of the citizens of the City of Long Beach and to promote economic development of the City by proscribing those nuisances which equally affect the rights of an entire community.
- B. It is also the purpose of this chapter to prevent and prohibit those conditions which reduce the value of private property; interfere with the enjoyment of public and private property; create and constitute fire and other safety and health hazard; generally create a menace to the health and welfare of the public; degrade the character of neighborhoods; and depreciate property values.
- C. It is necessary for the public health, safety, and welfare to regulate, prevent, and prohibit conditions that may constitute disorderly, disturbing, unsafe, unsanitary, vermin producing or harboring, and/or disease-causing places, conditions, or objects.
- D. It is also necessary for the public social and economic welfare to regulate, prevent, and prohibit conditions which degrade the City's scenic attractiveness, livability, and economic development.
- E. The presence of litter, overgrown and/or uncultivated vegetation, and other forms of waste or various hazards require an emphasis on measures to correct those conditions, which are injurious to the public health, safety, and general welfare.

- F. It is the intent of the City to establish efficient administrative procedures to enforce the regulations of the city, to provide a prompt process to address alleged violations, and to establish standards to be used by the City to abate public nuisances.
- G. This chapter further serves to establish procedures, as authorized by RCW 35.22.280 and other laws, both State and City, providing for the enforcement of the provisions herein.

5-2-2: DEFINITIONS:

For the purpose of this chapter, the definitions for certain terms, phrases, words, and their derivatives that are included within this section shall apply, unless otherwise specified or unless the context or meaning clearly indicates otherwise. Terms, phrases, and words used in the singular also include the plural and the plural the singular. Where terms, phrases, and words are not defined within this chapter, they shall have their ordinary, accepted meaning within the context in which they are used.

ABATE: To remedy a condition which constitutes a civil violation or an unsafe condition by such means, in such a manner, and to such an extent as the city official determines is necessary in the interest of the general health, safety, and welfare of the community.

ACT: Do or perform something; anything done, being done, or to be done; performance; deed.

ATTRACTIVE NUISANCE: Any object or condition which can reasonably constitute a hazard or danger and which is accessible to unauthorized persons.

CONTROL: The ability to regulate, restrain, dominate, counteract, or govern property or conduct that occurs on a property.

HEARING EXAMINER: The individual selected by the Mayor as provided in section 1-8-1 of this code.

LITTER: Includes, but is not limited to, debris in the form of cans, bottles, glass, paper, ashes, plastic materials, garbage, wastepaper, packing material, scrap iron, wire, metal articles, discarded furniture and appliances, junk, broken stone or cement, scrap wood, pallets, tires, discarded building materials, inoperable vehicles, inoperable bicycles, or bicycle parts, rags, boxes, crates, packing cases, mattresses, bedding, tree and vegetation trimmings, and all other waste, discarded or abandoned material, or trash, which are a menace to the public health, safety, or welfare.

NUISANCE: See section 5-2-3.

OWNER: Any person with interest in or dominion over real estate as indicated in the records of the Pacific County Tax Assessor, or who establishes under this chapter his or her ownership interest therein.

PERSON: Any individual or any entity, whether public or private.

PERSON RESPONSIBLE: The person responsible for abating a nuisance, which normally shall be the Owner. Also termed "responsible party."

PREMISES (PROPERTY): Used interchangeably herein, any building, lot, tax parcel, dwelling, rental unit, real estate, or land, or portion thereof, whether improved or unimproved,

including, but not limited to, property used as residential or commercial property and may include the adjacent “public right-of-way” as defined herein, and adjacent sidewalks or parking strip.

PUBLIC OFFICIAL: For purposes of this chapter, the Mayor or any designated alternate empowered by ordinance or by the Mayor to enforce a City of Long Beach ordinance or regulation, including but not limited to the City Administrator, Fire Chief, Fire Marshal, Building Official, Community Development Director, or their respective designees.

PUBLIC NUISANCE: See section 5-2-3, and includes a condition that affects equally the rights of a community or neighborhood, although the extent of the damage may be unequal.

PUBLIC RIGHT-OF-WAY: The area of land, the right of passage of which is secured by the City for public purposes and includes the traveled portion of public streets and alleys, as well as the border area, which includes, but is not limited to, any sidewalks, driveway approaches, planting strips, traffic circles, parkways or medians, or that area between the sidewalk and the curb line.

RESPONSIBLE PARTY: Any person required by the applicable regulation to comply therewith, normally the owner(s) of the property where a civil violation may occur, is occurring, or did occur. Also termed “person responsible.”

SCREENING: For the purposes of this chapter, shall include, but not be limited to, solid wood fencing, chain link fencing with slats, and/or solid landscaping capable of concealing something from public view by standing individuals at or near the property lines. [we do not allow fences this high between a house and the street]

VEHICLE: Except as otherwise specifically defined herein, shall include, but not be limited to, automobiles, motorcycles, trucks, motorized recreational vehicles, campers, travel trailers, boats on or off trailers, or utility trailers.

5-2-3: PUBLIC NUISANCE DECLARED AND DEFINED:

- A. Declaration; Abatement. Each of the conditions listed in section 5-2-3, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever a public official determines that any of these conditions exist upon any premises, the official may require or provide for the abatement thereof pursuant to this chapter and Title 14.
- B. Nuisance Defined. Unless the context or the use of the term in a particular section or the specific language of this chapter otherwise provides or requires, for purposes of this chapter, a “nuisance” or “public nuisance” consists of an occupation, use of property, thing, unlawfully doing an act, doing an unlawful act, omitting to perform a duty, or permitting an action or condition to occur or exist which:
 - 1. Unreasonably annoys, injures, or endangers the comfort, repose, health, or safety of the public or others; or
 - 2. Unreasonably offends decency; or
 - 3. Is unreasonably offensive to the senses; or

4. Unlawfully interferes with, obstructs or tends to obstruct, or renders dangerous for passage or use any lake, stream, canal, or basin, or any public park, square, street, alley, highway, or right-of-way in the city; or
5. Unlawfully interferes with, damages, or pollutes designated habitat areas, critical areas or their buffers, open spaces, restoration sites, or tributaries, and similar areas thereto; or
6. In any way renders other persons unreasonably insecure in life or the use of property; or
7. Unreasonably obstructs the free use of property so as to essentially interfere with the comfortable enjoyment of life and property; or
8. Results in an attractive nuisance; or
9. Creates or permits the existence or continuance of any of the specific nuisances identified in this chapter.

5-2-4: SPECIFIC NUISANCES ENUMERATED:

- A. The construction, maintaining, using, placing, depositing, causing, allowing, leaving, or permitting to be or remain—whether in or upon any private or public lot, building, structure, or premises, or on, in, or upon any right-of-way, street, avenue, alley, park, parkway, or other public or private place in the city—any one or more of the following places, conditions, things, or acts is hereby declared to constitute a public nuisance:
 1. Accumulations of Solid Waste, Manure. Accumulations of manure, rubbish or other solid waste, whether on land or in a vehicle; provided, that a compost pile so covered or concealed as not to affect the health, safety, or value of adjacent property shall not be so deemed.
 2. Water Pollution.
 - a. Pollution of a body of water, spring, stream, or drainage ditch by sewage, industrial wastes, or other substances that cause harmful material to pollute the water.
 - b. Ponds or pools of stagnant water, except those areas of wetlands as designated by city, federal, or state laws, rules, or regulations.
 - c. Violation of Revised Code of Washington (RCW) 90.48: Water Pollution Control, specifically RCW 90.48.080: Discharge of Polluting Matter in Waters Prohibited.
 3. Tree Limbs Overhanging Street or Sidewalk. All limbs or trees overhanging a public sidewalk or alley which are less than nine feet (9') above the surface of said sidewalk or overhanging a city street which are less than fourteen feet (14') above the surface of said

street; any foliage which obstructs to any degree any stop sign, speed sign, or other traffic control device.

4. Offensive Premises.

- a. Premises or residences that are in such a state of decay as to cause an offensive odor, extending beyond the property line; or
- b. Premises or residences that are in an unsanitary condition; or
- c. Premises or residences that create or constitute an unreasonable risk of fire or public safety hazard for adjoining property owners, whether public or private.

5. Privies, Cesspools. Privies, vaults, cesspools, sumps, or like places that are not securely protected from flies and/or rats, or that are foul or malodorous.

6. Abandoned Refrigerators, Ice Boxes. Unused, abandoned, or discarded refrigerators, ice boxes, bathtubs, other appliances, or like containers that are left in any place exposed or accessible to children, whether such a place is outside any building or dwelling or within any unoccupied or abandoned building, dwelling, or other structure, or violation of RCW 9.03: Abandoned Refrigeration Equipment.

7. Junkyards, Dumping Grounds; Fencing. All places not properly fenced which are used or maintained as junkyards or dumping grounds, or for the wrecking, disassembling, repair, or rebuilding of vehicles, tractors, trailers, boats, or machinery of any kind, or for the storing or leaving of worn out, wrecked, or abandoned automobiles, trucks, tractors, or machinery of any kind or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which said places are kept or maintained so as to essentially interfere with the comfortable enjoyment of life or property by others.

8. Open Pits. An open pit, hole, quarry, cistern, or other excavation without safeguards or barriers to prevent such places from being accessed or used by children. This subsection shall not apply to authorized construction projects with reasonable safeguards to prevent injury or death, especially to children.

9. Depositing or Burning Rubbish in Public Places. The depositing or burning of, or causing to be deposited or burned in any street, alley, sidewalk, park, parkway, or other public place open to travel, any hay, straw, grass, grass clippings, papers, wood, boards, boxes, leaves, manure, or other rubbish or material, except by permission of the fire marshal, or violation of RCW 70.94: Washington Clean Air Act, specifically RCW 70.94.040: Causing or Permitting Air Pollution Unlawful -Exception.

10. Dead, Diseased, or Substantially Damaged Trees. The existence of any dead, diseased, infested, broken, or dying tree that may constitute a danger to property or

persons. No tree, bush, or shrub on property that abuts upon a street or public sidewalk shall interfere, in any manner, with street or sidewalk traffic.

11. Shrubs Constituting Fire Hazard. All shrubs, bushes, trees, or vegetation that are in such a condition—whether as the result of size, flammability, or state of decay—so as to constitute a fire hazard.

12. Cans, Bottles, Trash; Containers Required. Any tin cans, bottles, glass, cans, ashes, wire, pipe, metal pieces or articles, plaster, and all other trash or abandoned material, unless the same is kept in covered bins or metal receptacles approved by the city administrator. This provision does not apply to recyclables kept in approved containers.

13. Barrels, Boxes, Crates; Neat Piles Required. Any trash, litter, rags, accumulations of empty barrels, boxes, crates, packing cases, mattresses, bedding accessories, packing hay, straw, or other packing material, pipe, or metal, that is not neatly piled.

14. Lumber, Roofing and Siding Materials. Lumber, roofing, or siding materials, logs, or pilings not so stacked, piled, or arranged as to be free from being dangerous to and/or accessible to children.

15. Items or Conditions Not Secured from Public Access. Any of the following not properly secured from access by the public:

- a. Any unsightly or dangerous building, billboard, or other structure; or
- b. Any abandoned, or partially destroyed building or structure; or
- c. Any building or structure commenced and left unfinished for a period of more than six (6) months from the date of the last completed work pursuant to the authority of an applicable valid building permit; or
- d. Storage of vehicles, materials, tools, or other objects contrary to the provision of any applicable section of this code.

16. Vehicle Repair on Street. Repairing upon the public rights-of-way, streets, alleys, or other public property of the City, any automobile, truck, or other motor vehicle or any other device required to possess a license issued by the department of motor vehicle/licenses of this state or the state of its registration, except for any emergency repairs not to exceed forty-eight (48) hours in any seven (7) day period and only so long as it is located (1) so as to not constitute a hazard or unreasonable interference to pedestrian or motor vehicle travel, and (2) so that the placement or storage upon these sites of vehicles, materials, or other objects during the allowable period for repair is not contrary to the provision of any applicable section of this code.

17. Unwholesome Meat, Dead Animals; Offensive Substances. Any putrid, unsound, or unwholesome bones, meat, hides, skins, skeletons, or other whole or part of any dead

animal, fish, or fowl; butcher's trimmings and offal; or any waste, vegetable, or animal matter, in any quantity; garbage; human excreta; or other offensive substance. Provided, however, that nothing contained in this chapter shall prevent the temporary retention of waste in receptacles in the manner approved by the City Administrator or the local disposal company.

18. Burning Refuse Prohibited; Smoke, Fumes. Except to the extent allowed by the lawful terms of a permit issued by the governmental authority having jurisdiction thereof, burning or disposal of refuse, sawdust, or other material in such a manner as to cause or permit ashes, sawdust, soot, or cinders to be cast upon the streets or alleys of the city, or to cause or permit dense smoke, noxious fumes, ashes, soot, or gases arising from such burning to become annoying or injurious to the health, comfort, or repose of the general public.

19. Plants Interfering. The existence of any shrubs, vines, or other plants growing into or over any street, sidewalk, public hydrant, pole, or electrolier; or the existence of any shrubs, vines, or other plants growing on, around, or in front of any hydrant, stand pipe, sprinkler system connection, or any other appliance or facility provided for fire protection purposes, in such a way as to obscure the view thereof or impair the access thereto, or as to obstruct or interfere with the proper diffusion of light from any streetlamp, or as to obstruct the vision or visibility of vehicle or pedestrian traffic.

20. Poisonous Substances. Any poisonous or harmful substance which is reasonably accessible to persons or to animals.

21. Dilapidated Fence or Structure Fronting on a Public Way. The existence of any screening, fence, or other structure or thing on private property abutting or fronting upon any public street, alley, sidewalk, or place which is in a sagging, leaning, falling, fallen, decayed, or other dilapidated or unsafe condition.

22. Poultry. Poultry that creates a nuisance, through noise, odor, unsightliness, or through unsanitary conditions.

23. Disposal of Animals. To dump or abandon living animals or dispose of dead animals within the City.

24. Obstructions to Clear View. All trees, hedges, billboards, fences, or other obstructions which prevent pedestrians or drivers from having a clear view of traffic approaching an intersection or which prevent drivers from having a clear view of pedestrians or other traffic in sufficient time to bring a motor vehicle driven at a reasonable speed to a full stop before the intersection is reached.

25. Explosives, Flammable Liquids. All explosives, flammable liquids, and other dangerous substances stored in any manner or in any amount other than that provided by ordinance.

26. Obstructing Flow of Transit Vehicles. For any person to obstruct or encroach upon public highways, streets, private ways, alleys, and ways open to the public, including cemeteries, or to unlawfully obstruct or impede the flow of municipal transit vehicles, as defined in Revised Code of Washington 46.04.355, as now existing or hereafter amended or succeeded, or passenger traffic, or to otherwise interfere with the provision or use of public transportation services, or to obstruct or impede a municipal transit driver, operator, employee, or supervisor in the performance of that individual's duties.

27. Offensive Businesses. For any person to erect, continue, or use any building or other structure or place for the exercise of any trade, activity, employment, or manufacture that is offensive or dangerous to the health of individuals or the public, by occasioning obnoxious, hazardous, or toxic exhausts or emissions, offensive smells, or otherwise.

28. Impeding Flows of Stream, Body of Water, Drainage Ditch. Any person without legal authority to cause or to allow the obstruction or impeding of the passage or flow of any stream, canal, drainage ditch, or body of water.

29. Places Where Liquor, Cigarettes, or Controlled Substances are Unlawfully Stored, Used, or Sold. Any place wherein intoxicating liquors, cigarettes, or controlled substances are kept for unlawful use, sale, or distribution.

30. Weeds, Trash, Offensive Matter. Any weeds, trash, dirt, filth, the carcass of any animal, waste, shrubs, an accumulation of lawn or yard trimmings in excess of one cubic yard (1 CY) or other offensive matter.

31. Materials Endangering Property. Any accumulation of materials or objects in a location when the same endangers property or safety or constitutes a fire hazard.

32. Sidewalks Out of Repair. The existence of a sidewalk or a portion of a sidewalk adjacent to any premises that is out of repair and is either in a condition that endangers persons or property or is in a condition that interferes with the public convenience in the use of such sidewalk.

33. Unlawful Obstruction to Public Ways. The existence of any obstruction to a street, alley, crossing, or sidewalk, where the obstruction is by ordinance prohibited or where the obstruction is made without lawful permission, or where the obstruction, having been originally made by lawful permission, is kept and maintained for an unreasonable length of time after the purpose thereof has been accomplished.

34. Maintaining Building or Premises in Disorderly or Unsanitary Condition. The erecting, maintaining, using, placing, depositing, leaving, or permitting to be or remain in or upon any private lot, building, structure, or premises, or in or upon any street, alley, sidewalk, park, parkway or other public or private place in the City, including inside a vehicle, any one or more of the following disorderly, disturbing, unsanitary, vermin producing or harboring, disease-causing places, conditions, or things:

- a. Any putrid, unhealthy, or unwholesome bones, meat, hides, skins, the whole or any part of any dead animal, fish, or fowl, or waste parts of fish, vegetable, animal matter in any quantity, or household garbage; but nothing herein shall prevent the temporary retention of waste in approved covered receptacles.
- b. Any filthy, littered, or trash-covered dwellings, cellars, house yards, barnyards, stable yards, factory yards, vacant areas in the rear of stores, vacant lots, houses, buildings, or premises.
- c. Any animal manure in any quantity that is not securely protected from flies or weather conditions or that is kept or handled in violation of any ordinance of the City.
- d. Any poison oak, poison ivy, Russian thistle, or other noxious weeds, and any of those plants listed by a state or federal agency as noxious or prohibited, such as those plants listed on Washington's noxious weed list such as but not limited to gorse and Scotch broom. This applies whether the plant is growing or otherwise; but nothing herein shall prevent the temporary retention of such plants in approved covered receptacles.
- e. Any bamboo that is not contained within a barrier. The barrier can be plastic, metal, or concrete, but it must completely contain the bamboo. Pre-existing in-ground plantings that are not left untended are exempt from this provision, except that the person responsible must take all reasonable action to prevent the plant from invading the property of another, and bamboo growth that crosses the property line of another is a nuisance that must be abated.
- f. The use of a tarp, plastic sheeting, canvas, or other temporary material(s) on any roof, wall, fence, or any portion thereof for more than six (6) months from the date of its first use.
- g. Any structure that is damaged more than fifty percent (50%) of its value that is either not demolished within six (6) months of its initially being damaged or whose reconstruction has not begun in six (6) months and been completed in two (2) years of its initially being damaged.
- h. Any exterior portion of a structure (roof, wall, deck, porch, accessory structure) or any portion thereof damaged more than fifty percent (50%) that is not repaired within six (6) months of its initially being damaged.
- i. Any bottles, cans, glass, ashes, pieces of scrap metal, wire, metal articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster, and all such trash, or abandoned material, unless such is kept in approved covered receptacles.
- j. Any trash, litter, rags, accumulations of empty barrels, boxes, crates, packing cases, mattresses, bedding, excelsior, packing hay, straw or other packing material,

lumber not neatly piled, scrap iron, tin or other metal not neatly piled, or anything whatsoever in which flies or rats may breed or multiply, or which may be a fire hazard.

k. Any dune grass in excess of three feet (3') in height or any domestic landscaping grass or sod in excess of one foot (1') in height.

l. Any violation of Pacific County Health Ordinance No. 1.

35. Storage of Unhealthful Items. Storing outside a completely enclosed building items that constitute a threat to the public health, safety, or welfare, including, but not limited to, the following: scrap rope, rags, batteries, paper, trash, rubber debris, tires, waste, used lumber or salvaged wood, machinery or appliances or parts of such machinery, tools, vehicular component parts, iron, steel, household goods or hardware, medications, medical supplies, or medical devices.

36. Unfinished or Unauthorized Construction. Any building or structure where construction was commenced and the building or structure was left unfinished for more than six (6) months from the date building commenced or any building or structure that has been constructed or modified without permits pursuant to Long Beach City Code 10-2-4: Building Permits and Fees. This shall include any unauthorized work or noncompliant work taking place on private property or in the public right-of-way, with or without a permit, or which is otherwise in violation of any City ordinance.

37. Drainage over Sidewalks. The existence of any drainage onto or over any sidewalk or public pedestrianway.

5-2-5: PENALTY FOR VIOLATION: Every person who violates any provision of this chapter has committed a civil violation and shall be subject to the provisions herein and the provisions of Title 14, "Enforcement Procedures." The person responsible for any violation of this chapter at all residential dwellings, commercial establishments, and/or real estate shall be responsible for compliance with this chapter and liable for any damages or costs incurred and awarded under this chapter and Title 14.

5-2-6: EMERGENCY ACTIONS: If the public official determines that a nuisance exists which is an imminent and emergent threat to public health, safety, or welfare, and constitutes an emergency requiring immediate abatement, the city may perform any emergency action necessary to abate the nuisance with or without prior notice.

5-2-7: LIABILITY FOR CONTINUING NUISANCE: Every successive person responsible who neglects to abate a continuing nuisance upon or in the use of a property caused by a former person responsible is liable therefor in the same manner as the former person(s) responsible.

5-2-8: ADDITIONAL RELIEF: Nothing in this chapter shall preclude the City from seeking any other relief, as authorized in other provisions of the Long Beach City code. Enforcement of this chapter is supplemental to all other laws adopted by the city.

5-2-9: CONFLICTS; CONTROLLING PROVISIONS: In the event of a conflict between this chapter and any other provisions of this code or other ordinance providing a civil penalty, this chapter shall control.

5-2-10: SPECIAL CITY RESPONSIBILITY NOT CREATED: This chapter shall not be construed to create any special responsibility of the City. No person shall rely on the City to know if any condition constitutes a public nuisance, nor shall any person rely on the City to abate a public nuisance known or unknown. It is solely the right of the City to make the decision to expend city resources to issue a Notice of Violation or a Notice of Violation and Abatement, as provided in Title 14, or to abate or not abate a public nuisance.

5-2-11: SEVERABILITY: If any provision or section of this chapter shall be held to be void or unconstitutional, all other parts, provisions, and sections of this chapter not expressly so held shall continue in full force and effect.

TITLE 14 – ENFORCEMENT PROCEDURES

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Chapter 1

GENERAL PROVISIONS

Section:

- 14-1-1: Title
- 14-1-2: Application
- 14-1-3: Purpose and Authority
- 14-1-4: Conflicts
- 14-1-5: Meaning of Terms
- 14-1-6: Severability
- 14-1-7: Not Exclusive

14-1-1: TITLE: This title shall be known as the *ENFORCEMENT PROCEDURES ORDINANCE OF THE CITY OF LONG BEACH*, referred hereinafter as “this title.”

14-1-2: APPLICATION: The provisions of this title shall apply to the enforcement of Title 5, Chapter 2, “Public Nuisances”; Title 10, “Building Regulations”; Title 11, “Unified Development”; Title 12, “Zoning Regulations”; and Title 13, “Critical Areas Regulations,” unless specifically addressed elsewhere in this code.

14-1-3: PURPOSE AND AUTHORITY: The purpose of this title is to establish an effective and efficient system to enforce regulations of the City of Long Beach; to provide an opportunity to correct alleged violations of such regulations; to establish monetary penalties for violations as authorized by Revised Code of Washington 35A.11.020; to provide for an appeal process on an alleged violation; and to establish a standard procedure to be used by the City to abate unsafe or unlawful conditions.

14-1-4: CONFLICTS: In the event of a conflict between this title and any other provision of this code or city ordinances providing for a civil penalty, this chapter shall control.

14-1-5: MEANING OF TERMS: For the purposes of this code, whenever the terms “civil infraction” and “civil penalty” are used in any code, ordinance, or regulation of the city, those terms shall be deemed to have the same meanings as the terms “civil violation” and “monetary penalty,” respectively, as used herein.

14-1-6: SEVERABILITY: If any one or more sections, subsections, or sentences of this title are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this title and the same shall remain in full force and effect.

14-1-7: NOT EXCLUSIVE: The provisions of this title are not exclusive, and may be used in addition to other enforcement provisions authorized by this code, except as precluded by law.

Chapter 2

DEFINITIONS

Section:

14-2-1: Terms Defined

14-2-1: TERMS DEFINED: Any term not herein defined shall have its customary or commonly accepted meaning.

ABATE: To remedy a condition which constitutes a civil violation or an unsafe condition by such means, in such a manner, and to such an extent as the city official determines is necessary in the interest of the general health, safety, and welfare of the community.

ACT: Do or perform something; anything done, being done, or to be done; performance; deed.

CERTIFICATE OF COMPLAINT: A document filed with the Pacific County Auditor, stating that a property has been determined to be in violation of a relevant title of the Long Beach City code.

CIVIL INFRACTION: A non-criminal violation for which a monetary penalty ("civil penalty") may be imposed as specified in this title. Each day or portion of a day during which a violation occurs is a separate violation. Also termed "civil violation."

CIVIL VIOLATION: A non-criminal violation for which a monetary penalty ("civil penalty") may be imposed as specified in this title. Each day or portion of a day during which a violation occurs is a separate violation. Also termed "civil infraction."

CIVIL PENALTY: A financial penalty or fine imposed as restitution for violation(s) of a relevant City code. Also termed "monetary penalty."

DEVELOPMENT: The erection, alteration, enlargement, construction, relocation, demolition, maintenance, or use of any structure; or the division, alteration, or use of land above, at, or below ground or water level; or any change in the use of land, a building, or a structure that requires a permit; and all acts authorized by a city permit or regulation.

EMERGENCY: A situation where a city official determines that immediate action is required to prevent or eliminate threat to the health, safety, or welfare of persons or property or to the environment. Also termed "unsafe condition."

MONETARY PENALTY: A financial penalty or fine imposed as restitution for violation(s) of a relevant City code. Also termed "civil penalty."

OMISSION: The failure to act.

OWNER: Any person, including any natural person or entity having legal interest in real estate as indicated in the records of the Pacific County Tax Assessor, or who establishes his or her ownership interest therein.

PERSON: Any individual or any entity, whether public or private.

PERSON RESPONSIBLE: Any person required by the applicable regulation to comply therewith, normally the owner(s) of the property where a civil violation may occur, is occurring, or did occur. Also termed “responsible party.”

PUBLIC OFFICIAL: For purposes of this chapter, the Mayor or any designated alternate empowered by ordinance or by the Mayor to enforce a City of Long Beach ordinance or regulation, including but not limited to the City Administrator, Fire Chief, Fire Marshal, Building Official, Community Development Director, or their respective designees.

REGULATION: Means and includes the following as now or hereafter amended:

- A. Title 5, Chapter 2, Public Nuisances; Title 10, Building Regulations; Title 11, Unified Development; Title 12, Zoning Regulations; Title 13, Critical Areas Regulations of this code.
- B. All standards, regulations, and procedures adopted pursuant to the above.
- C. The terms and conditions of any permit or approval issued by the City, or any concomitant agreement with the City pursuant to any title identified in section 14-1-1(A).

REPEAT OFFENDER: A responsible party that has been issued two (2) or more Notices of Violation or Notice of Violation and Abatement or a combination thereof, as defined in this title within a period of twelve (12) months. Also refers to a tax parcel where multiple violations occur within twelve (12) months.

RESPONSIBLE PARTY: Any person required by the applicable regulation to comply therewith, normally the owner(s) of the property where a civil violation may occur, is occurring, or did occur. Also termed “person responsible.”

UNSAFE CONDITION: A situation where a city official determines that immediate action is required to prevent or eliminate threat to the health, safety, or welfare of persons or property or to the environment. Also termed “emergency.”

VIOLATION: An act or omission contrary to a City of Long Beach regulation. Also, a condition resulting from such act or omission.

VIOLATION, REPEAT: Except as noted below, a violation of the same regulation in any location by the same person within two (2) years.

VIOLATION, REPEAT - NUISANCE: A violation of the same regulation found in Title 5, Chapter 2, “Public Nuisances” in any location by the same person within the immediately preceding twelve (12) consecutive month period, and for which a Notice of Violation or a Notice of Violation and Abatement or a combination thereof has previously been issued.

Chapter 3

METHODS OF ENFORCEMENT

Section:

- 14-3-1: Enforcement Method No. 1: Voluntary Compliance
- 14-3-2: Enforcement Method No. 2: Notice of Violation and Abatement
- 14-3-3: Enforcement Method No. 3: Notice of Violation, Civil Penalty, and Abatement

There are three (3) methods of enforcement available to the City:

1. Voluntary compliance;
2. Notice of Violation and Abatement; and
3. Notice of Violation, civil penalty and notice thereof, abatement.

14-3-1: ENFORCEMENT METHOD NO. 1: VOLUNTARY COMPLIANCE:

- A. Applicability. When the public official determines that purposes of an ordinance will be best served through a Voluntary Compliance Agreement between the City and the person responsible for a violation of a regulation, the City may enter into such an Agreement.
- B. Requesting Voluntary Compliance: The public official may, but is not required to, pursue a reasonable attempt to secure voluntary correction by contacting the person responsible for the violation, explaining the violation, and requesting correction.
- C. Voluntary Compliance Agreement: The Voluntary Compliance Agreement is a contract between the City and the person responsible for the violation. In this contract the person responsible agrees to abate the violation within a specified time and according to specified terms. The Voluntary Compliance Agreement shall include the following:
 1. Name and address of the person(s) responsible for the violation;
 2. Street address or description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring;
 3. Description of the violation(s) and a reference to the provision(s) of the Long Beach City code, ordinance, or regulation that has been violated;
 4. Description of the necessary corrective action(s) required to abate the public nuisance or unsafe condition, and the date(s) and time(s) by which corrective action(s) must be completed;

5. Statement that if any term of the voluntary compliance agreement is not met, the person responsible for the violation agrees the City of Long Beach may abate the violation and recover its costs and expenses and assess the person responsible a monetary penalty pursuant to this title ; and
 6. Identification of the department investigating the case, name of the case manager, and contact information.
- D. Time Extension. An extension of the time limit for correction or a modification of the required corrective action(s) may be granted by the public official if the official determines the person responsible for the violation has shown due diligence and/or substantial progress in correcting the violation but unforeseen circumstances render correction under the original terms of the Voluntary Compliance Agreement unattainable.
 - E. Abatement by the City. The City may abate the violation in accordance with section 14-5-1 of this chapter if any term of the Voluntary Compliance Agreement is not met.
 - F. Assessment of Penalties and Costs. If any term of the Voluntary Compliance Agreement is not met, the person responsible for the violation shall be assessed a monetary penalty commencing on the date set for correction to be completed as stated in the Agreement and thereafter in accordance with subsection 14-3-3 (D) through (I) of this title, plus any actual costs and expenses of abatement incurred by the City, as set forth in section 14-3-3 of this title.

14-3-2: ENFORCEMENT METHOD NO. 2: NOTICE OF VIOLATION AND ABATEMENT:

- A. When a public official has a reasonable belief that a violation has occurred or is occurring, the public official may issue a Notice of Violation and Abatement. This notice shall clearly describe the code violation(s), required corrective action(s) to abate the violation, schedule of performance, and alternative actions available to the responsible party and the City.
- B. The Notice of Violation and Abatement shall contain the following:
 1. Name and address of the person responsible for the violation;
 2. Street address or description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring;
 3. Description of the violation(s) and a reference to the provision(s) of the Long Beach City code, ordinance, or regulation that has been violated;
 4. Description of the necessary corrective action(s) required to abate the public nuisance or unsafe condition, which may include corrections, repairs, demolition, removal, or any other appropriate action;

5. Statement that required corrective action(s) must be taken within thirty (30) calendar days from the date of the Notice of Violation and Abatement, after which the City may abate the public nuisance in accordance with the provisions of this chapter; except that if the public official determines that a longer time than thirty (30) days is necessary to complete the required corrective action(s), an alternative reasonable, specific time may be set by the public official;

6. Statement that the responsible party to whom a Notice of Violation and Abatement is directed may request an appeal proceeding by the Long Beach Hearing Examiner by means of a Notice of Appeal pursuant to section 14-4-1(A). Such notice must be in writing and must be received by the City Clerk, no later than fourteen (14) calendar days after the Notice of Violation and Abatement has been issued;

7. Statement that if the responsible party to whom the Notice of Violation and Abatement is issued fails to submit a Notice of Appeal within fourteen (14) calendar days of issuance or fails to voluntarily abate the nuisance within the time specified in the Notice of Violation and Abatement, the City may abate the nuisance;

8. Statement that all actual costs and expenses of abatement incurred by the City may be assessed against the Owner of the abated property named in the Notice of Violation and Abatement and, further, that failure to pay said costs may result in a lien against the property; and

9. Identification of the department investigating the case, name of the case manager, and contact information.

C. Service. The Notice of Violation and Abatement must be served upon the person responsible for the violation and, if the Owner of the relevant property is not the person responsible for the violation, then also upon the Owner. Proof of service shall be made by a written declaration under penalty of perjury executed by the person effecting the service, declaring the time and date of service, the manner by which the service was made, and, if service was made by posting, the facts showing that due diligence was used in attempting to serve the person personally or by mail. Service shall occur using one of the following methods:

1. By mailing, via both regular first-class mail and certified mail, to the address of the property owner as indicated in the records of the Pacific County Tax Assessor, and to the address of the person responsible at their last known address; or

2. By personal service; or

3. If the person to whom it is directed cannot, after due diligence, be personally served within Pacific County and if an address for mailed service cannot, after due diligence, be ascertained, then notice shall be served by posting a copy of the Notice of Violation and

Abatement in a prominent location on the affected premises in a conspicuous manner that is reasonably likely to be discovered.

- D. Extension. No extension of the timeframe for corrective action specified in the Notice of Violation and Abatement or a modification of the required corrective action(s) may be granted, except by order of the public official. Any extension or modification should be granted only if the person responsible for the violation has shown due diligence and/or substantial progress in correcting the violation but unforeseen circumstances render correction under the original terms of the Notice unattainable.
- E. The City may abate the violation and collect costs and expenses in accordance with Chapter 5 of this title if required corrective action is not completed as specified in the Notice of Violation and Abatement.
- F. Monetary Penalties: If the required corrective action is not completed by the responsible party as specified in the Notice of Violation and Abatement and the City does not yet desire to use public resources to abate the property, the person responsible for the violation shall be assessed a monetary penalty commencing on the date set for correction to be completed and thereafter in accordance with subsections 14-3-3(D) through (I) of this chapter, plus any actual costs and expenses of abatement incurred by the City, as set forth in section 14-5-2 of this chapter.

14-3-3: ENFORCEMENT METHOD NO. 3: NOTICE OF VIOLATION, CIVIL PENALTY AND NOTICE THEREOF, ABATEMENT:

- A. Any person who violates any of the provisions of this chapter, at the discretion of the public official, may be assessed monetary (civil) penalties before the City initiates the abatement process referenced in this chapter. If the public official determines this alternative process is more likely to result in compliance, the public official may send a Notice of Violation, followed by imposition of civil penalties and abatement if appropriate.
- B. The Notice of Violation shall contain the following:
 - 1. Name and address of the person responsible for the violation;
 - 2. Street address or description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring;
 - 3. Description of the violation(s) and a reference to the provision(s) of the Long Beach City code, ordinance, or regulation that has been violated;
 - 4. Description of the necessary corrective action(s) required to abate the public nuisance or unsafe condition, which may include corrections, repairs, demolition, removal, or any other appropriate action;

5. Statement that required corrective action(s) must be taken within thirty (30) calendar days from the date of the Notice of Violation, after which the City may abate the public nuisance in accordance with the provisions of this chapter; except that if the public official determines that a longer time than thirty (30) days is necessary to complete the required action, an alternative reasonable, specific time may be set by the public official;

6. Statement that abatement procedures, as described in this chapter, may be implemented if civil penalties reach more than \$1,000;

7. Statement that the responsible party to whom a Notice of Violation is directed may request an appeal proceeding by the Long Beach Hearing Examiner by means of a Notice of Appeal pursuant to section 14-4-1(A). Such notice must be in writing and must be received by the City Clerk, no later than fourteen (14) calendar days after the Notice of Violation has been issued;

8. Statement that all actual costs and expenses of abatement incurred by the City may be assessed against the Owner of the abated property named in the Notice of Violation and, further, that failure to pay said costs may result in a lien against the property; and

9. Identification of the department investigating the case, name of the case manager, and contact information.

C. Service. The Notice of Violation must be served pursuant to the procedures described in section 14-3-2(C).

D. Civil Penalty. At the end of the timeframe specified in the Notice of Violation, the property or building will be reinspected to see if the condition has been completely abated. If the condition has been completely abated, the case will be closed. If the condition has not been completely abated, civil (monetary) penalties will be assessed, as provided in this section, and a Notice of Civil Penalty will be issued to the responsible party and the property owner.

E. The Notice of Civil Penalty shall be served pursuant to the procedures described in section 14-3-2(C).

F. The Notice of Civil Penalty shall contain the following:

1. Address of the site;

2. Specified timeframe for correcting the violation or submitting an acceptable work schedule;

3. Statement that civil penalties have been imposed, setting forth the date such monetary penalties began or will begin, usually the first day of service;

4. Statement that civil penalties will continue to accumulate in the amounts specified in this chapter until the nuisance or hazard condition is corrected;
 5. Abatement procedure(s) that may be implemented by the City if civil penalties in excess of \$1,000 are assessed in trying to correct the condition; and
 6. Identification of the department investigating the case, name of the case manager, and contact information.
- G. Maximum Monetary Penalty. The maximum monetary (civil) penalty for each separate violation per day or portion thereof shall be as follows:
1. First day of each violation (the first day is the date of service): One hundred dollars (\$100.00);
 2. Second day of each violation: Two hundred dollars (\$200.00);
 3. Third day of each violation: Three hundred dollars (\$300.00);
 4. Fourth day of each violation: Four hundred dollars (\$400.00);
 5. Each additional day of each violation beyond four (4) days: Five hundred dollars (\$500.00) per day.
- H. Civil penalties will continue to accumulate until the condition is completely abated, and, if the total assessed penalty exceeds \$1,000, the public official may decide to initiate an abatement proceeding, as provided in this chapter. At such time that the assessed civil penalty exceeds \$1,000, a Certificate of Complaint may be filed with the Pacific County Auditor to be attached to the title of the property. A copy of the Certificate of Complaint shall be sent to the property owner and, if it is determined that there are other parties of interest, then to those individuals as well.
- I. Each day that a property is not in compliance with the provisions of this chapter may constitute a separate violation of this chapter.

Chapter 4

APPEAL PROCESS WITH HEARING EXAMINER

Section:

14-4-1: Appeal Proceeding by the Hearing Examiner.

14-4-1: APPEAL PROCEEDING BY THE HEARING EXAMINER:

- A. Right to Appeal.
 - 1. A person to whom the City has issued a Notice of Violation and Abatement pursuant to section 14-3-2 of this title or a Notice of Violation pursuant to section 14-3-3 of this title, or any other person with a legal or equitable interest in the property that is the subject of such a notice, may request an appeal proceeding before a Hearing Examiner by filing a Notice of Appeal with the City Clerk. Such Notice of Appeal must be in writing and must be received by the City Clerk no later than fourteen (14) calendar days after the said notice is issued.
 - 2. A person to whom a Notice of Civil Penalty has been issued pursuant to 14-3-2(G) or 14-3-3(D) through (I), or any other person with a legal or equitable interest in the property that is the subject of such a notice, may request an appeal proceeding before a Hearing Examiner by filing a request with the City Clerk by means of a Notice of Appeal. Such notice must be in writing and must be received by the City Clerk no later than ten (10) calendar days after the said civil penalty is issued.
- B. Each Notice of Appeal shall contain the name, address, and telephone number of the person requesting the appeal and the name, address, and telephone number of any person who will be present to represent him or her at the appeal proceeding.
- C. Each Notice of Appeal shall set out the basis or bases for the appeal.
 - 1. An appeal regarding a Notice of Violation and Abatement issued pursuant to 14-3-2 or a Notice of Violation pursuant to 14-3-3 may challenge the legality or validity of the underlying violation, the required corrective action(s), or the required schedule for abatement.
 - 2. Because the Owner or the person responsible for a violation has an opportunity to appeal the Notice of Violation and Abatement or the Notice of Violation pursuant to section 14-3-2(B)(6) or 14-3-3(B)(7), respectively, before any civil penalties are imposed, a hearing regarding civil penalties shall not provide another opportunity to challenge the legality or validity of the underlying violation, the required corrective action(s), or the required schedule for abatement.

- D. If a Notice of Appeal is received by the City, within fourteen (14) calendar days the public official shall mail a Notice of Appeal Proceeding, giving the time, location, and date of the appeal proceeding, by regular first-class mail to the person(s) to whom the Notice of Violation and Abatement, Notice of Violation, or Notice of Civil Penalty was directed.
- E. If an appeal is filed timely and completely, the Hearing Examiner will conduct the appeal proceeding required by this chapter no more than fourteen (14) calendar days after the public official issues the Notice of Appeal Proceeding, unless the Hearing Examiner or public official finds good cause to continue the matter to another date.
- F. Appeal Proceeding. The public official, as well as the person to whom the relevant notice was directed, may participate as parties in the proceeding and may be represented by counsel, and each party may call witnesses. The City shall have the burden of proof to establish, by a preponderance of the evidence, that a violation of this chapter has occurred and that the required corrective action(s) and schedule for abatement are reasonable, or that the civil penalty was assessed for noncompliance with this chapter and the regulations of the Long Beach City Code.
- G. Hearing Examiner Determination. The Hearing Examiner shall determine whether the City has established by a preponderance of the evidence that a violation of this chapter or other regulations of the City has occurred and the required corrective action or civil penalty is reasonable. The Hearing Examiner shall affirm, modify, or vacate the public official's decisions regarding the alleged violation(s), the required corrective action(s), and/or the civil penalty with or without written conditions.
- H. Final Order. Within ten (10) calendar days of the close of the appeal proceeding, the Hearing Examiner shall issue a written Final Order that contains the following information:
1. The decision regarding the alleged violation, including findings of facts and conclusions based thereon;
 2. The required corrective action(s), if any;
 3. The date by which the required corrective action(s) must be completed;
 4. The date after which the City may proceed with abatement, as outlined in Chapter 5 of this title, if the required corrective action(s) is not completed;
 5. A statement that the civil penalty is affirmed, reduced, or waived, if applicable;
 6. A statement of any appeal remedies;

7. A notice that if the City proceeds with abatement, a lien for the actual costs of said abatement may be assessed against the property if the costs of abatement are not paid in accordance with the provisions of this chapter.

- I. If the person to whom the relevant notice was directed fails to appear or submit something in writing at the scheduled hearing, the Hearing Examiner will enter a written Final Order finding the violation(s) has occurred or the civil penalty was reasonable and finding that abatement may proceed.
- J. The Final Order shall be served on the person by one of the methods stated in section 14-3-2(B) of this chapter.
- K. A Final Order of the Hearing Examiner may be appealed to a court of competent jurisdiction no more than twenty-one (21) calendar days after its issuance.

Chapter 5

ABATEMENT

Section:

- 14-5-1: Abatement Process
- 14-5-2: Recovery of Costs and Expenses
- 14-5-3: Hearing Regarding Cost of Abatement
- 14-5-4: Lien Authorized

14-5-1: ABATEMENT PROCESS:

- A. Access. Using any lawful means, the City may enter upon the subject property or premises and may remove or correct the condition that is subject to abatement. If the owner of the premises does not consent to entry, the City may seek such judicial process as it deems necessary to effect the removal or correction of such condition.
- B. Terms of Abatement. Property or premises are subject to abatement as provided in this chapter, including where an emergency exists, where the terms of a Voluntary Compliance Agreement have not been met, where required corrective action has not been timely completed after a Notice of Violation and Abatement has been issued, where a Notice of Violation and a Notice of Civil Penalty have been issued but the property or premises is still in violation, or where summary abatement, as described in 14-5-1(C), is necessary.
- C. Summary Abatement: Whenever any violation of a regulation causes an emergency where the continued existence of a condition constitutes an immediate or emergent threat to the public health, safety, or welfare or to the environment, the city may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for it, shall be given to the person responsible for the violation as soon as reasonably possible after the abatement.

14-5-2: RECOVERY OF COSTS AND EXPENSES:

- A. Actual costs, including incidental expenses, of correcting the violation shall be billed to the person responsible for the violation or the property Owner. These costs shall become due and payable to the City of Long Beach no later than thirty (30) calendar days from the date of the invoice. The term "incidental expenses" includes, but is not limited to, personnel costs, both direct and indirect; attorney fees; costs incurred in documenting the violation; demolition, hauling, storage, and disposal expenses; filing fees; and actual expenses and costs of the City in preparing notices, specifications, and contracts, and in accomplishing and/or contracting and inspecting the work; the costs of any required printing or mailing; and any and all costs of collection.

- B. If the person responsible for the costs of abatement fails to remit payment in a timely manner, the City may file a lien against the real property for the cost of any abatement proceedings under this chapter, except that no lien shall attach to the real property if the Owner was found not responsible in the Final Order issued by the Hearing Examiner. A notice of the city's lien specifying the expenses incurred in abating the nuisance and giving the legal description of the premises sought to be charged shall be filed with the Pacific County Auditor within ninety (90) days from the date of the abatement. Such lien may at any time thereafter be collected in the manner provided for foreclosure of mechanic's liens under the laws of the State of Washington.
- C. In addition to a lien, the debt shall be collectible in the same manner as any other civil debt owing to the City, and the City may pursue collection of the costs of any abatement proceedings under this chapter by any other lawful means, including, but not limited to, referral to a collection agency.

14-5-3: HEARING REGARDING COST OF ABATEMENT:

- A. Any person sent an invoice for the costs due for abatement of a nuisance may request a hearing to determine if the costs should be assessed, reduced, or waived.
- B. A request for a hearing shall be made in writing and filed with the City Clerk no later than fourteen (14) calendar days from the date of the invoice.
- C. Each request for hearing shall contain the address and telephone number of the person requesting the hearing and the name and/or the name and address of any person who will be present to represent him or her.
- D. Each request for hearing shall set out the basis for the request.
 - 1. Because the property owner or other person responsible for the violation had an opportunity to appeal the Notice of Violation and Abatement, Notice of Violation, and/or Notice of Civil Penalty pursuant to section 14-4-1, before any abatement actions were taken, the hearing regarding the costs of abatement shall not provide another opportunity to challenge the legality or validity of the underlying violation, required corrective action(s), required schedule for abatement, or civil penalty.
- E. Failure to request a hearing within fourteen (14) calendar days from the date of the invoice shall be a waiver of the right to contest the validity of the costs incurred in abatement of the violation.
- F. If a hearing is requested, the Hearing Examiner will conduct the hearing no more than thirty (30) calendar days after the public official issues the Notice of Hearing, unless the Hearing Examiner or public official finds good cause to continue the matter to another date.

- G. If a hearing is requested, the public official shall mail a notice giving the time, location, and date of the hearing, by regular first-class mail, to the person or persons to whom the invoice for the costs of abatement was directed.
- H. If a hearing is conducted, the public official, as well as the person to whom the invoice for abatement costs was directed, may participate as parties in the hearing, may be represented by counsel, and may call witnesses. The City shall have the burden of proof to establish, by a preponderance of the evidence, that the abatement costs are reasonable.
- I. The Hearing Examiner shall issue a written order and determine whether the costs of abatement were reasonable and necessary. The Hearing Examiner may uphold the amount billed for the costs of abatement, reduce the amount billed, or waive the costs.
- J. The order of the Hearing Examiner is the final administrative decision. Such decision may be appealed in accordance with section 14-4-4(K).

14-5-4: LIEN AUTHORIZED:

- A. Costs Included in Lien: The City shall have a lien for any monetary penalty imposed, the cost of any abatement proceedings under this chapter, and all other related costs, including attorney and expert witness fees, against the real property on which the monetary penalty was imposed or any of the work of abatement was performed. The lien shall be subordinate to all previously existing special assessment liens imposed on the same property and shall be superior to all other liens, except for State and County taxes, with which it shall be on parity.
- B. The public official or city administrator shall file with the County Recorder a claim for lien within ninety (90) days from the later of the following dates: the date the monetary penalty is due, the date the work is completed, or the date the nuisance is abated.
- C. The claim of lien must contain sufficient information regarding the relevant notice as determined by the public official or city administrator, a description of the property to be charged with the lien and property owner of record, and the total amount of the lien.
- D. Any such claim of lien may be amended from time to time to reflect changed conditions.
- E. No such liens shall bind the affected property for a period longer than five (5) years, without foreclosure or an extension agreed to by the property owner.

Chapter 6

CRIMINAL PENALTIES

Section:

14-6-1: Knowing Violations; Alternative Criminal Penalties

14-6-2: Separate Offense

14-6-1: KNOWING VIOLATIONS; ALTERNATIVE CRIMINAL PENALTIES:

- A. Knowing Violation. Any person who knowingly violates or fails to comply with any of the provisions of Title 5, Chapter 2, Title 10, Title 11, Title 12, or Title 13 of this code, as amended, or any other titles of this code amended or adopted that make use of the provisions of this title, shall be guilty of a gross misdemeanor and, upon conviction thereof, may be punished by up to one year in jail and up to a five thousand dollar (\$5,000.00) fine. The City Administrator may request that the City Attorney prosecute such violations as an alternative to the civil penalty procedure outlined in this title.
- B. Obstruction. Unless otherwise provided herein, it is a gross misdemeanor for any person to obstruct, impede, or interfere with the City or its agents, or with any person who owns, or holds any interest or estate in any property, in performing any acts necessary to correct the violation. A person convicted of a violation of this subsection may be punished up to one year in jail and a five thousand dollar (\$5,000.00) fine or both.
- C. Except that any person who knowingly obstructs, impedes, or interferes with the City or its agents, or with the person responsible for the violation in the performance of duties imposed by Title 5, Chapter 2 shall be guilty of a misdemeanor punishable as provided in section 1-4-1 of this code.

14-6-2: SEPARATE OFFENSE: Each day that a violation of a regulation subject to enforcement under this title continues and each occurrence of a prohibited activity shall be deemed and considered a separate offense.



**CITY COUNCIL
AGENDA BILL
AB 13-03**

Meeting Date: January 22, 2013

AGENDA ITEM INFORMATION

SUBJECT: Fire Tank and Pump Purchase for 88-54

Originator:

Mayor

City Council

City Administrator

City Attorney

City Clerk

City Engineer

Community Development Director

Finance Director

Fire Chief

DG

Police Chief

Streets/Parks/Drainage Supervisor

Water/Wastewater Supervisor

Other:

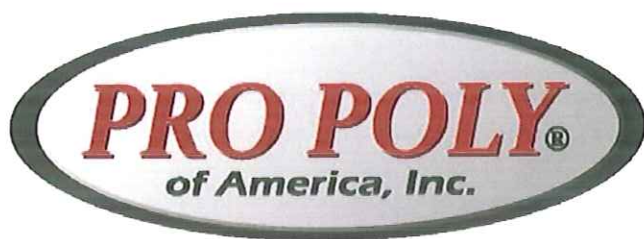
COST: \$15,000 +/-

SUMMARY STATEMENT: The third and final beach fire fighting 6 X 6 is being imagined by the city mechanic and volunteer firefighters. In order to get this ready for the upcoming summer fire season, we need to purchase a water tank and pump, with the city mechanic doing all the installation and plumbing. I have included quotes for water tanks and pumps, with more quotes to come. Our expected budget is:

Water Tank	6000
Pump	4000
Lights	1000
Hose & Hose	
Reel	1500
Plumbing parts	500
Radio	750
	13750

The money to pay for this is from the equipment fund ending fund balance.

RECOMMENDED ACTION: *Authorize the fire chief to get this vehicle ready for service by this summer, but not to exceed \$15,000 without further council permission.*



230 NE 25th Avenue, Suite 300
 Ocala, FL 34470
 Phone (352) 629-1414
 Fax (352) 629-6049

ESTIMATE

Date	1/15/2013
Estimate #	12594
Project #	Long Beach Fire Vol. Fir...

ATTN	Tye Caldwell
Terms	See Below
FOB	Pro Poly

Name / Address
Long Beach Fire Vol. Fire Dept Long Beach, WA 98631 Phone (941) 962-0779 caldwelltye@yahoo.com

Qty	Description
1	927 Rectangular Polypropene Tank
1	Fill Tower with Hinged Lid
1	4.0" Overflow Vent Pipe with Screen
1	Tank Enhancement Package, 0.75" tank end walls and internals
2	2.5" FNPT Tank Fast Fill with Diffuser
1	4.0" FNPT Tank Suction
1	1.5" FNPT Tank Drain
1	Tank Sight Glass (Non UV)
1	Mounting Tabs, Front and Rear
	Subtotal
	Discount
	Payment Terms for first time and international customers: 50% due with purchase order and balance due before shipment of tank or body. Master Card and Visa accepted. Freight INCO Terms: EXW
	ISO 9001 Certified. (800) 864-3817 Melissa@propolyamerica.com
Estimated Ship Date - 6 - 8 Weeks from Signed Prints	
<div>Total\$5,023.50</div>	

Special Terms:

1. Price quoted above is based on preliminary drawings and specs. Final price subject to change based upon final product design.
2. Price quoted DOES NOT INCLUDE FREIGHT unless specifically stated.
3. A fee will be charged for packaging. Special packaging may be an additional cost.
4. The above price quotation does not include mounting provisions. Mounting will be the responsibility of purchaser.
5. Quote expires 60 days herein.
6. Past due accounts subject to 1.5% interest and a reasonable attorney's fee.
7. Customer P.O. constitute acceptance of these terms.
8. Price may be increased by a petroleum surcharge of up to 3% of the total invoice price for all Polypropene items if the NYMEX oil price exceeds \$70.00 per barrel.

Signature _____

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HPX200-BD26

Vehicle Mounted Pu...
Modules
Engine Driven Pump...

▶ Portable Pumps

- ▶ Floating Pumps
- ▶ HP Series Pumps
- ▶ Diesel Pumps
 - ▶ HPX & HPT75-YD9 ...
 - ▶ HPX & HPT200-YD9...
 - ▶ HPX100-BD26
 - ▶ **HPX200-BD26**
 - ▶ HPX300-BD26
 - ▶ HPX400-BD26
 - ▶ HPX350-BD34
 - ▶ HPX100-LD26
 - ▶ HP700 DI Diesel ...
 - ▶ HPX350-KBD39
- ▶ Special Pumps
- ▶ Skid/ Trailer Pump...
- ▶ Pump Ends
- ▶ Marine Fire Pumps
- Options and Access...
- Foam Proportioning...
- Compressed Air Foa...
- Misc. Pumps

Contact

Hale Products Inc.
610-825-6300
Fax: 610-825-6440

Overview | Technical Data | Recommendation & Accessories | Downloads

Hale's line of diesel powered slip-on pumps offer the convenience of fuel compatibility with a diesel powered chassis. They combine all the benefits of a diesel engine including safety, reliability, long life and low maintenance with power and performance comparable to a gasoline driven unit. Hale offers a complete line of diesel pumps to satisfy a variety of field situations and requirements.

- Diesel Compatibility.
- Refueling convenience with today's apparatus
- High Capacity Model
- Flows to 285 GPM
- Exclusive Band Clamp Design . Quick and easy access for maintenance and repairs.
- Includes speed increasing gearbox. Configured for easy installation by truck builders
- Ideal for pump and roll applications
- Hale's line of diesel powered slip-on pumps offer the convenience of fuel compatibility with a diesel powered chassis. They combine all the benefits of a diesel engine including safety, reliability, long life and low maintenance with power and performance comparable to a gasoline driven unit.

Performance Ratings

- 280 GPM @ 10 PSI
- 270 GPM @ 50 PSI
- 200 GPM @ 100 PSI
- 160 GPM @ 125 PSI

The MaxStream Diesel Slip-On series pumps come complete with a 12-volt electric start ignition system. The fuel connections make it easy to use the vehicles diesel tank for increased run time. .

The HPX200-BD26 is an ideal product for OEM installation. The pump is equipped for remotely connected throttle and stop controls. Power is provided by a heavy duty Briggs and Stratton DM950D



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HP200 Series

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Engine Driven Pump...

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 - ▶ [Floating Pumps](#)
 - ▶ [HP Series Pumps](#)
 - ▶ [HP75 Series](#)
 - ▶ [HPX & HPT75-B11](#)
 - ▶ [HPT & HPX75-YD9](#)
 - ▶ [HP100 Series](#)
 - ▶ **[HP200 Series](#)**
 - ▶ [HPX & HPT200-B11](#)
 - ▶ [HPX275-B35 Attac...](#)
 - ▶ [HP300 Series](#)
 - ▶ [HP400 Series](#)
 - ▶ [HPX450-B35 Attac...](#)
 - ▶ [Diesel Pumps](#)
 - ▶ [Special Pumps](#)
 - ▶ [Skid/ Trailer Pump...](#)
 - ▶ [Pump Ends](#)
 - ▶ [Marine Fire Pumps](#)
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The HP200 Series is a medium pressure, medium volume portable pump. The pump body and head are coupled together with a stainless steel bank clamp which allows for quick pump removal for servicing. HP200 Series Briggs and Stratton units meet ISO Class 9 Performance ratings.

HP200 series pumps are available in the following configurations:

HP200 - Transportable pump with fold away handles - configured for full portable applications. Built in exhaust priming system. Rotating discharge valve for quick and easy hose layout. The pumping unit is mounted on a steel skid base. The pump is equipped with four handles to provide for two-man portability.

HP200 - Transportable pump with wraparound frame - configured for full portable applications. Includes built-in exhaust priming layout and rotating discharge valve for quick and easy hose layout. The pumping unit is mounted on a steel skid base. The pump is equipped with an easy to carry wraparound frame.

HP200 - Maxstream pump without base tank - configured for easy installation by truck builders. Includes built-in exhaust priming layout and rotating discharge valve for quick and easy hose layout. The pumping unit is mounted on a steel skid base. The pumping unit is attached to a steel skid base plate that can easily be mounted into any vehicle. The rail base includes all required hardware and vibration isolators. A remote instrument panel with mounted single discharge gauge and engine controls is included as standard.

HPXB200 - Maxstream pump with base fuel tank - configured for easy installation by truck builders. Includes built-in exhaust priming layout and rotating discharge valve for quick and easy hose layout. The pumping unit is mounted on a steel skid base. The pumping unit is attached to a steel skid base plate that can easily be mounted into any vehicle. The rail base includes all required hardware and vibration isolators. A remote instrument panel with mounted single discharge gauge and engine controls is included as standard.



Ideal for applications such as:

- Wildland and attack firefighting
- Booster Reel
- Single 1-3/4" line
- 2-1/2" supply line

Available with Briggs and Stratton and Yanmar engines.

Product Pictures:



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HP200 Series



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Technical Data:

Max Flow (GPM)	245
Max Pressure (PSI)	165
Length (Inches)	HPT 27-5/8; HPW 28; HPX 20-1/4; HPXB 25
Width (Inches)	HPT 19-1/4; HPW 18-3/4; HPX 18; HPXB 17-1/2
Height (Inches)	HPT - 20 1/4; HPW- 21 15/16; HPX - 20; HPXB - 20
Weight (Pounds)	HPT - 152; HPW - 174; HPT - 145; HPXB - 150
Suction HPX & HPXB	3" Female NPT/4" Victaulic
Suction HPT & HPW	2-1/2" Male NH Thread
Discharge - HPX and HPXB	2-1/2" Female NPT
Discharge HPT and HPW	2-1/2" Male NH Thread Swivel valves swings 175 degrees for ease of hose layout

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David Glasson

From: tye caldwell [caldwelltye@yahoo.com]
Sent: Tuesday, January 15, 2013 1:06 PM
To: David Glasson
Subject: Fw: HALE PUMP

----- Forwarded Message -----

From: Michael Guertin <mguertin@lncurtis.com>
To: "Tye Caldwell (caldwelltye@yahoo.com)" <caldwelltye@yahoo.com>
Sent: Tuesday, January 15, 2013 12:36 PM
Subject: HALE PUMP

<http://www.haleproducts.com/Main/Products.92.92.aspx> See the HPX200BD26 – your cost \$10,300 + shipping
<http://www.haleproducts.com/Main/Products.49.49.aspx> See the HPX200B18 – your cost \$3750 + shipping

Michael Guertin
L.N. Curtis & sons
Curtis Tactical Team
629 So. Industrial Way
Seattle, WA. 98108
800-426-6633
fax: 206-622-2723
mguertin@lncurtis.com



SEAWESTERN

FIRE FIGHTING EQUIPMENT

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1-800-327-5312, FAX 425-823-0636
info@seawestern.com, www.seawestern.com
E.I.N. #91-0998307

Invoice

Date	Invoice #
1/15/2013	165896

Bill To
LONG BEACH FIRE DEPARTMENT P.O. BOX 310 LONG BEACH, WA 98631

Ship To
LONG BEACH FIRE DEPARTMENT 115 BOSTAD WEST LONG BEACH, WA 98631 ***** ATTN TIM

P.O. Number	Terms	Rep	Ship	Via	SWI PO	S.O. No.
	NET ON RECEI...	GBM	1/15/2013	UPS		
Item Code	Description	Ordered	Prev. Invoi...	Invoiced	Price Each	Amount
BAS AIR KIT HP	XAT1-347,AIR ANALYSIS, FOR HIGH PRESSURE ONLY UNITS S/N:269020			1	95.00	95.00
						95.00
RETURN	RETURNS GLADLY ACCEPTED WITHIN 30 DAYS OF PURCHASE. A RESTOCKING FEE OF UP TO 25% MAY BE APPLIED ON ANY NON-STOCK MERCHANDISE. PLEASE NOTE UNDER WA STATE TAX CODE, TESTING WITH NO REPAIRS IS CONSIDERED A SERVICE AND IS NONTAXABLE. WA STATE SALES TAX (2502) LONG BEACH				0.00	0.00T
					7.80%	0.00

Our regular office/warehouse hours - Monday - Friday, 8am - 4:30pm

Thank you for choosing SeaWestern!

Total	\$95.00
--------------	----------------

Report: AGY064P2
710-LBL BLSD020

State of Washington
Business Licensing Service
Agency Requirements Document (ARD)

Date: 01 04 2013
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: Sole Proprietor

Legal Entity Name : NICK E THIRY

Firm Name : CRAFTSMAN BY THE SEA

Location Phone/FAX: (360) 344-5475 (000) 000-0000

Location Address : 1304 145TH LN
LONG BEACH WA 98631 6006

In City Limits: N

Product/Serv Desc: Wholesale, Retail, Manufacturing, Services
Wholesale, Retail, Manufacturing, Services SIGNS, VEHICLE GRAPHICS, VINYL LETTERING, BANNERS

Operator Comments: No Branch per DOR

Previous Business License: N

Square Footage: 200 Applying as Non Profit Business: N
501(C) Received: -

Conducting Business From Residence: Y Customers visiting business premises? Y

Hazardous/Flammable Materials: N
(360) 244-5475
(360) 244-5453

Emergency Contact 1: NICK E THIRY

Emergency Contact 2: JANICE A THIRY

Email Address: nick.thiry@gmail.com

Additional Business Activities:

General/Specialty Contractor # THIRYC*0771A Contractor license number verified in the Contractor database. Expires: 07 17 2013

Account Status: Pending Approval

- Zoning	<u>NA</u>	<u>12/13</u>	Date
-			
- Building			Date
-			
- Finance			Date
-			
- Comments:			Date
-			
-			

CITY OF LONG BEACH NO ARDS were processed by BLS staff today.

LONG BEACH GENERAL BUSINESS

Business Structure: Sole Proprietor

Legal Entity Name : LYNDA ALYCE KINNUNEN

Firm Name : LYNDA ALYCE KINNUNEN

Location Phone/FAX: (503) 717-3351

Location Address : 509 PACIFIC AVE S
LONG BEACH WA 98631 3766

In City Limits: Y

Product/Serv Desc: Retail
Retail BULK LEAF TOBACCO, CIGARS, ROLLING PAPERS, TUBES,
MACHINES AND SMOKING ACCESSORIES.

Operator Comments: Branch tax # 600685864 assigned.

Previous Business License: N

Conducting Business From Residence: N

Emergency Contact 1: LYNDA ALYCE KINNUNEN

Emergency Contact 2:

Email Address: lyndakinnunen@gmail.com

Additional Business Activities:

Account Status: Pending Approval

- Zoning OT 4B 1/2/13 Date
- Building _____ Date
- Finance _____ Date
- Comments: _____ Date
- _____
- _____

- Fire _____ Date
- Police _____ Date
- Planning _____ Date
- _____
- _____

CITY OF LONG BEACH

NO ARDS were processed by BLS staff today.

New Application / Final

UBI Number : 603 167 362 001 0002
Application ID : 2012 344 4318
Application Received Date: 12 09 2012

Fees : \$125.00
Expiration Date: 12 31 2013

Business Open Date: 01 15 2013

Mail Addr: 509 PACIFIC AVE S
LONG BEACH WA 98631 3766

Square Footage: 420
Applying as Non Profit Business: N
501(C) Received: -

Hazardous/Flammable Materials: N
(503) 717-3351
(000) 000-0000

1/7/13 Talked w/Linda

almost spray a
almost keeping propylane
away from window -
LB

Report: AGY064P2
710-LBL BLSD020

State of Washington
Business Licensing Service
Agency Requirements Document (ARD)

Date: 01 02 2013
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final * Prior RFI/RFP *

Business Structure: Profit Corporation

UBI Number : 603 205 066 001 0007

Legal Entity Name : UNITED RENTALS (NORTH AMERICA), INC.

Application ID : 2012 326 0198

Application Received Date: 11 20 2012

Firm Name : UNITED RENTALS (NORTH AMERICA), INC.

Fees : \$125.00

Expiration Date: 11 30 2013

Location Phone/FAX: (813) 269-6511

First Date of Business: 05 01 2012

Location Address : 1002 TENNANT WAY
LONGVIEW WA 98632 2410

Mail Addr: 12802 TAMPA OAKS BLVD STE 350
TEMPLE TERRACE FL 33637 1916

In City Limits: Y

Product/Serv Desc: Retail
Retail RENTAL & SALES OF CONSTRUCTION EQUIPMENT & SUPPLIE
S

Operator Comments:

Previous Business License:

Square Footage: 0 Applying as Non Profit Business: N
501(C) Received: -

Email Address: SALESTAX@UR.COM

Additional Business Activities:

Account Status: Pending Approval

- Zoning	NA	CP	1/3/13	Fire	Date
- Building				Police	Date
- Finance				Planning	Date
- Comments:					
-					
-					

CITY OF LONG BEACH No ARDS were processed by BLS staff today.